EP1.89/2:SP4/7

United States
Environmental Protection
Agency

Municipal Environmental Research
Laboratory
Cincinnati OH 45268

Research and Development

EPA-600/S2-81-239 Jan. 1982

EPA

Project Summary

ORIGINAL
COMPLETED

Guide for Spill Prevention Control and Countermeasure Inspectors

Walter Unterberg and Robert M. Moorehead

This report is intended for use in training and guiding inspectors performing compliance inspections and amendment inspections and in documenting these inspections to implement the Oil Pollution Prevention Regulations promulgated in 40CFR112 for nontransportation-related onshore and offshore facilities.

The report covers the Spill Prevention Control and Countermeasure (SPCC) regulations, the role of the SPCC inspector, the affected facilities, and procedures for carrying out the inspection. It contains forms for use by the inspector in the field and for documentation.

The use of these forms will provide nationwide uniformity in SPCC reporting. Suggested procedures appear below in short form, applicable to all inspections:

The SPCC Inspector's 1-2-3

1. **In field, fill out "SPCC Inspection Field Sheet" (1 page) (EPA Form 7500-53)**

2. ***If facility in compliance***
   Fill out "APCC Inspection Summary Sheet" (1 page) only (EPA For 7500-52)

   If facility NOT in compliance
   Fill out "SPCC Inspection Summary Sheet" (1 page) (EPA Form 7500-52) and "Detailed SPCC Documentation" (7 pages) (EPA Form 7500-54)

3. **Enter information in EPA-SPCC Data Bank:**

   Form A - Facility Indentification
   Form E - Inspection/Enforcement Report
   Form S - Spill Report (if required)

This Project Summary was developed by EPA's Municipal Environmental Research Laboratory, Cincinnati, OH, to announce key findings of the research project that is fully documented in a separate report of the same title (see Project Report ordering information at back).

Introduction

In December 1973, the U.S. Environmental Protection Agency (EPA) issued in the Federal Register its Oil Pollution Prevention Regulations for Nontransportation-Related Onshore and Offshore Facilities (40CFR112). The purpose of these regulations is to prevent spills from nontransportation-related facilities by establishing procedures, methods, and equipment requirements for owners or operators of facilities engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, or consuming oil. These regulations require the owners or operators of designated onshore and offshore facilities to

prepare a Spill Prevention Control and Countermeasure Plan (SPCC Plan) in accordance with certain guidelines contained within the regulations. These guidelines require the installation or construction of certain spill prevention systems depending upon the type of operation conducted at the facility. The intention of these regulations is that these spill prevention systems be designed, installed, and operated according to good engineering practices.

Associated with 40CFR112 are several other environmental regulations:

- 40CFR109, Criteria for State, Local, and Regional Oil Removal Contingency Plans — governing contingency plans that are part of SPCC plans under certain circumstances when conventional spill prevention is not feasible;
- 40CFR110, Discharge of Oil — applying to the discharge of oil into navigable waters, adjoining shorelines, or waters of the contiguous zone;
- 40CFR114, Civil Penalties for Violation of Oil Pollution/Prevention Regulations — outlining enforcement procedures, with maximum liability of $5000 for each day a violation continues.

The SPCC inspection program is the mechanism that the EPA uses to determine compliance with SPCC regulations. *Compliance inspections* enforce 40CFR112.3 by verifying that an SPCC plan exists for a facility falling under 40CFR112, that this plan is technically adequate, and that the provisions of the SPCC plan have actually been carried out in the facility. The legal basis for compliance inspections is contained in 40CFR112.3(b), which states, in part:

> "Owners or operators of a facility for which an SPCC plan is required . . . shall maintain a complete copy of the plan . . . and shall make such plan available to the Regional Administrator for on-site review during normal working hours."

When a spill of a certain magnitude has occurred from a facility having an SPCC plan, 40CFR112.4 requires the owner or operator to submit his SPCC plan to the EPA Regional Administrator for review and possible amendment. The Regional Administrator may require that the plan be amended to minimize the possibilities of spill recurrence. After EPA review of the plan, an *amendment inspection* may be performed; this may result in additional SPCC requirements being specified by the EPA. The legal basis for this is contained in 40CFR112.4(d), which states, in part:

> "After review of the SPCC plan . . . submitted by the owner or operator . . . the Regional Administrator may require the owner or operator . . . to amend the SPCC Plan if he finds that the Plan does not meet the requirements of this part or that the amendment of the plan is necessary to prevent and to contain discharges of oil from such a facility . . . and shall specify the terms of such amendment."

EPA's SPCC regulations were to be implemented by 11 January 1975 by about 30,000 oil marketing terminals and bulk plants; about 285 oil refineries; several thousand production facilities, both onshore and offshore; and many bulk oil consumers. As of June 1976, the EPA had completed 12,313 compliance inspections. Evaluation of the SPCC program to date, in terms of spill histories and enforcement, has disclosed variations among the EPA regions.

Objective

Uniformity in carrying out SPCC inspections is desirable, and therefore, a document that provides uniform guidance on a nationwide basis is required. Also, personnel new to the SPCC program need to be trained in inspection and documentation procedures.

This "Guide for Spill Prevention Control Countermeasure Inspectors" is to be a training and guidance report for those performing compliance inspections and amendment inspections and for documenting such inspections to enforce the Oil Pollution Prevention Regulations promulgated in 40CFR112 for nontransportation-related onshore and offshore facilities. Operators/owners of such facilities should also find this report useful in developing their SPCC plans.

Contents

This report is divided into sections. Section 1 is the introduction. Section 2 describes the role of the SPCC inspector, including the knowledge and skills he should possess, the attitude and behavior he should exhibit when dealing with facility personnel, and the attire and equipment he should take into the field. Section 3 briefly covers the affected nontransportation-related facilities and their potential for incurring oil spills. Section 4 is devoted to compliance inspections — starting with preparations for the inspection, then continuing with the initial contact with the facility and the SPCC plan review, and ending with the facility inspection itself. Section 5 deals with amendment inspections and parallels 4 in its sections. Section 6 deals with documentation of inspections. This is followed by a section on references.

The appendices include texts of the applicable federal EPA SPCC regulations (Appendix A), a discussion of nontransportation-related facilities (Appendix B), an SPCC inspection checklist (Appendix C), Report of SPCC Inspection forms (Appendix D), and EPA-SPCC Data Bank forms (Appendix E). The report concludes with a Glossary of the most commonly used terms.

The report is in looseleaf form so that future additions, deletions, and corrections can easily be made. Also, it permits the report holder to insert other pages as desired.

The full report was submitted in partial fulfillment of Contract No. 68-03-2648 by Rockwell International, Newbury Park, California, under the sponsorship of the U.S. Environmental Protection Agency.

W. Unterberg and R. M. Moorehe[illegible]are with Rockwell International, Environmental Monitoring & Services Center, Newbury Park, CA 91320.
***John S. Farlow** is the EPA Project Officer (see below).*
The complete report, entitled "Guide for Spill Prevention Control and Countermeasure Inspectors," (Order No. PB 82-115 296; Cost: $12.00, subject to change) will be available only from:
National Technical Information Service
5285 Port Royal Road
Springfield, VA 22161
Telephone: 703-487-4650
The EPA Project Officer can be contacted at:
Oil and Hazardous Materials Spills Branch
Municipal Environmental Research Laboratory—Cincinnati
U.S. Environmental Protection Agency
Edison, NJ 08837

☆ U.S. GOVERNMENT PRINTING OFFICE: 1982 — 559-017/7437